

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rotten berries.

**DISPOSITION:** March 7, 1951. Default decree of condemnation and destruction.

**17125. Adulteration of seeded and seedless raisins. U. S. v. 46 Cases, etc.**  
(F. D. C. No. 29876. Sample Nos. 82093-K, 82094-K.)

**LABEL FILED:** November 10, 1950, Western District of South Carolina.

**ALLEGED SHIPMENT:** On or about November 20, 1948, and November 4, 1949, from Del Rey, Calif.

**PRODUCT:** 46 cases, each containing 36 15-ounce packages, of seeded raisins, and 68 30-pound cases of seedless raisins, at Spartanburg, S. C.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the seeded raisins consisted in whole or in part of a filthy substance by reason of the presence of insects, and the seedless raisins consisted in whole or in part of a decomposed substance by reason of the presence of mold and rot. The products were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 15, 1950. Default decree of condemnation. The court ordered that the seedless raisins be destroyed and that in lieu of destruction, the seeded raisins be delivered to a charitable institution, for use as animal feed.

**17126. Adulteration of seedless raisins. U. S. v. 34 Cases \* \* \*. (F. D. C. No. 29958. Sample No. 85513-K.)**

**LABEL FILED:** October 27, 1950, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 5, 1950, from Fresno, Calif.

**PRODUCT:** 34 30-pound cases of seedless raisins at Minneapolis, Minn.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 15, 1950. Default decree of condemnation. The court ordered that the product be destroyed unless properly denatured for use as animal feed, under the supervision of the Food and Drug Administration.

#### FROZEN FRUIT

**17127. Adulteration of frozen strawberries. U. S. v. Joseph A. Prime (Prime Canning Co.).** Plea of guilty. Defendant fined \$500 and sentenced to 1 year in jail; jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 30064. Sample No. 74890-K.)

**INFORMATION FILED:** December 28, 1950, Western District of New York, against Joseph A. Prime, a partner in the partnership of the Prime Canning Co., Buffalo, N. Y.

**ALLEGED SHIPMENT:** On or about August 31, 1950, from the State of New York into the State of New Jersey.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of moldy strawberries; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 5, 1951. A plea of guilty having been entered, the court imposed a fine of \$500 and a sentence of 1 year in jail against the defendant. The jail sentence was suspended, and the defendant was placed on probation for 1 year.

**17128. Adulteration of frozen strawberries. U. S. v. 300 Cans \* \* \*.**  
(F. D. C. No. 29550. Sample No. 65538-K.)

**LIBEL FILED:** September 11, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about June 6, 1950, by the Tennessee Quick Freeze & Storage Corp., from Memphis, Tenn.

**PRODUCT:** 300 30-pound cans of frozen strawberries at Chicago, Ill.

**LABEL, IN PART:** "Strawberries \* \* \* Packed By G. C. Partee Co., Humboldt, Tenn."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rotten berries.

**DISPOSITION:** March 12, 1951. Default decree of condemnation and destruction.

**MISCELLANEOUS FRUIT PRODUCTS**

**17129. Misbranding of apple butter. U. S. v. 5 Cases \* \* \*.** (F. D. C. No. 30364. Sample No. 90606-K.)

**LIBEL FILED:** January 2, 1951, District of Hawaii.

**ALLEGED SHIPMENT:** On or about November 30, 1950, by the Pacific Food Products Co., from Seattle, Wash.

**PRODUCT:** 5 cases, each containing 12 jars, of apple butter at Honolulu, T. H.

**LABEL, IN PART:** (Jar) "Sunny Jim Pure Washington Apple Butter Contents 27 Oz."

**NATURE OF CHARGE:** Misbranding, Section 402 (g) (1), the article failed to conform to the definition and standard for apple butter since the soluble-solids content of the article was less than 43 percent, the minimum permitted by the standard; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

**DISPOSITION:** February 23, 1951. American Factors, Ltd., Honolulu, T. H., having appeared as owner and claimant of the product and as agent for the shipper, and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered. Following the entry of such decree, the product was destroyed.

**17130. Adulteration of strawberry preserves. U. S. v. 711 Cases \* \* \*.**  
(F. D. C. No. 30274. Sample No. 93142-K.)

**LIBEL FILED:** November 20, 1950, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about August 17, 1950, by Baumer Foods, Inc., from New Orleans, La.

**PRODUCT:** 711 cases, each containing 24 12-ounce jars, of strawberry preserves at Jacksonville, Fla.

**LABEL, IN PART:** (Jar) "Crystal Brand Pure Strawberry Preserves."